

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

EASTMAN KODAK COMPANY,

Plaintiff,

v.

RICOH COMPANY, LTD.

Defendant.

Case No. 1:12-cv-03109 (DLC)

**DECLARATION OF ROBERT J. GUNTHER, JR. IN SUPPORT OF EASTMAN  
KODAK COMPANY'S OPPOSITION TO RICOH'S MOTIONS IN LIMINE**

ROBERT J. GUNTHER, JR. under penalty of perjury, hereby declares as follows:

1. I am an attorney with the law firm WilmerHale LLP, counsel for Plaintiff Eastman Kodak Company ("Kodak") in the above captioned action, and am admitted to this Court.
2. I respectfully submit this declaration in support of Kodak's Opposition to Ricoh's Motions in Limine. I am familiar with the facts stated herein.
3. Attached hereto as Exhibit 1 is a true and correct copy of excerpts from the Merriam-Webster's Collegiate Dictionary.
4. Attached hereto as Exhibit 2 is a true and correct copy of excerpts from Kodak's August 29, 2012, First Set of Requests for Production.
5. Attached hereto as Exhibit 3 is a true and correct copy of an April 23, 2010, Pentax Press Release bearing bates number KOD-RIC081781.
6. Attached hereto as Exhibit 4 is a true and correct copy of DSLR 645D Product Details from the Pentax Webstore bearing bates number KOD-RIC081754.

7. Attached hereto as Exhibit 5 is a true and correct copy of a March 1, 2012, Press Release bearing bates number KOD-RIC081788.

8. Attached hereto as Exhibit 6 is a true and correct copy of excerpts from the June 5, 2013, deposition of John Valenza.

9. Attached hereto as Exhibit 7 is a true and correct copy of excerpts from the February 5, 2013, deposition of Willy Shih.

Dated: October 14, 2013

/s/ Robert J. Gunther, Jr.  
Robert J. Gunther, Jr.